

# Reconsidering the Crisis of Confidence in Indigenous African Conflict Resolution Approaches: A Postcolonial Critique

by

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## Abstract

Recent research on conflict resolution in Africa suggests that there is an emerging consensus, which indicate that shuttle diplomacy and externally initiated and monitored mediations do not work. This political reality made Africans pause for some introspection at the end of the Cold War because they realised, as President Mo (2006: vi) of Kenya put it, that “solutions to Africa’s problems will come from African themselves...” The result has been an output of a great wealth of common, internally accepted, socially legitimate and potentially more effective methods of African approaches to conflict resolution. Yet, many African leaders, who are influential conflict resolution specialists; and peacemaking institutions remain reticent about their worth in resolving the so-called modern conflicts (Zartman 2000) and embracing, instead, the praxis of centralised state power (Keller and Rothchild 1996; Bayart 2009; Maxted and Zegeye 2001). This article draws on the postcolonial genealogy to trace the source of this lack of confidence in African traditions of conflict resolution. It is argued that colonial ways of thinking are inhibiting the adoption of methods that have proven effective in reconciliation processes (e.g. the Truth and Reconciliation Commission in South Africa and Rwanda’s *gacaca*) currently look very promising at high level mediation (e.g., the role of the African Union in Kenya).

**Keywords:** Africa; conflict resolution; post-colonialism; genealogy; marginalisation

## Introduction and Method

Three distinct but coalescing developments currently drive the debate on indigenous African approaches to conflict resolution. The first is the tendency to seek “African solutions to African problems” that developed out of colonial era struggle for self-determination (Derso 2012). The second is the perceived failure of Western interventions to effectively end African conflicts (Zartman 2000). The third is the inspiring role indigenous African methods of conflict management and resolution are gaining from reconciliation processes such as the role of *Ubuntu* in South Africa’s Truth and Reconciliation Commission and Rwanda’s gacaca to successful application of a mediation style that Tim Murithi and Murphy Ives (2011: 76) have called “under the acacia tree” approach to resolving major conflicts such as the Comprehensive Peace Agreement in the Sudan (Waihenya 2006).

These themes carry a strong appeal for advocates of African renaissance (Hagg and Kagwanja 2007). Yet, advocacy for indigenous African approaches to conflict resolution, as part of “African solutions to African problems,” is still met with resistance in policy, academic and public discourses (Zartman 2000; De Jong 2005). What is the source of this resistance? This article explores, as part of a larger study, the role of what Phillip Darby (2006: 1) has called “inherited categories of thought about the relationships between different people...” by using V. Y. Mudimbe’s (1988) classification of the discursive traditions of missionaries and explorer, anthropologists and colonial officials as potential sources of present marginalisation of African approaches to conflict resolution.

Mudimbe’s methodology grows out of Foucault’s archaeology of knowledge. By analogy:

*“The archaeologist may treat every discourse as a ‘monument’ and may emphasize the differential analysis of their modalities and the silent norms presiding over discursive practice” (Mudimbe 1988: 27).*

Through this approach, it is possible to understand how knowledge of African approaches to conflict resolution has metamorphosed at various stages of epistemological mutations – that is earlier literature, missionary and colonial writing and anthropological scholarship to affect modern perceptions.

## Earlier Literature

There is an often quoted passage from Herodotus's *The Histories* that narrates the story of some wild young Nasamonian or Libyan:

*"... sons of chieftains in their country, [who] had on coming to manhood planned amongst themselves all sorts of extravagant adventures, one of which was to draw lots for five of their number to explore the Libyan desert and try to penetrate further than had ever been done before"* (Herodotus 2003:107-8).

The story goes that these five young men utilised their food and water supply well enough to cross the Sahara Desert and made the first *historically* recorded (by virtue of Herodotus having heard it) encounter between the black Africans and the Mediterranean races. The five adventurers reported on their return that they *"were attacked by some little men – of less than middle height – who seized them and carried them off"* (Herodotus 2003:108). They further noted that the *"speech of these dwarfs was unintelligible"* but somehow deduced the black dwarfs belonged to *"a nation of wizards"* (Herodotus 2003:108). Here begins the European representation of Africa. Robin Hallet (1965) noted that these descriptions along with other hearsays about the interior of Africa fuelled a construction of imagined sub-humans who could not be viewed as possessing reason and, therefore – I might add – conflict resolution capabilities.

The European explorers who later recorded their encounters with African peoples drew on this perception. For example, French explorer, Francois Le Vaillant (1796:32) writing in southern Africa, referred to the death of Captain James Cook to caution Afro-enthusiasts about venturing deep into the continent where indigenous people were still living in the *"state of nature."* The state of nature, according to Enlightenment scholarship, is devoid of order and reason and by consequence, people who live in it, must lack the means to resolve their differences.<sup>1</sup> Even in the cases where certain African societies had a form of social organisation that was recognisable to the Europeans, their supposed lack of *"civilisation"* still meant that they could not develop sophisticated customs for living in peace (Davidson 1969). As Smith (1926) pointed out in his book on the Ashanti people in present-day Ghana, the Europeans saw African socio-political systems as based on superstitions and therefore could not be seen as having rational foundations. These writers, Boaduo and Gumbi (2010:47) have remarked, based their claims to know Africa on *"books written by their forefathers from a deficit perspective, ceaselessly comparing Africa to Europe..."*

Like explorers, the missionaries participated in the disempowering construction of the Africans as the irrational or depraved other. For example, Albert Bushnell Lloyd's (1899) book – reminiscent of Herodotus's account – was titled *In Dwarf Land and Cannibal Country: A Record of Travel and Discovery in Central Africa*, although the author had no real knowledge of dwarfs and cannibals. A review of the book in the journal, *Nature* in 1900 mocked the book as “missionary anthropology” with a misleading title and content that “add[ed] practically nothing to our knowledge” (Nature 1900:314). Yet the book went on to become one of the most cited texts in positioning Africans and their beliefs in justifying the guardianship of Christianity and colonial rule (Jarosz 1992). European missionaries framed African beliefs and practices as harmful to spirituality and set about eradicating them. More than that, the language of Africa as the Dark Continent, first used by Henry Morton Stanley in 1878, became increasingly loaded with moral connotations (Stanley 1878). In its earlier usage, the name Dark Continent signified uncertainty; however, this quickly changed when Europeans had penetrated Africa (Jarosz 1992). As Jarosz (1992) explained, missionaries, explorers and travel writers used the Dark Continent metaphor in three main ways.

First, Africa's representation as a place was that of a hostile, disease-ridden, hot, unforgiving and merciless jungle or desert. Second, the name “Dark Continent” fitted the biblical representation of darkness as the enemy of light. This perceived darkness, Christian missionaries and colonialists argued, needed “Christianity and righteous government” to dispel it (Lloyd 1899 cited in Jarosz 1992:107). As Jarosz (1992:107) noted, darkness here refers to “non-Christian beliefs and indigenous forms of government.” Third and lastly, the hostility of Africa and the darkness therein presented a barrier and it was up to the European – who had the power and the responsibility – to tame the environment and civilise the indigenous inhabitants (Jarosz 1992). This assumed responsibility was seen as a burden – a white man's burden. Writing an introduction to *In Dwarf Land and Cannibal Country*, Kenneway (1899:8) declared Lloyd a good Christian who had “been bearing his share of the ‘white man's burden’ of ruling, civilising and Christianising the ‘silent peoples’...”

These earlier accounts laid the foundation for the kind of discourse that sought to silence African thought in conflict resolution and other areas. The pervasiveness of this strategy is evident outside the works of explorers and missionaries. For example, adventure seekers and travelling literary stars added their voices to this discourse. Writers such as Mary Kingsley, Arthur Conan Doyle, W. Somerset Maugham and Evelyn Waugh among others wrote books, which formed a particular genre that captured the peculiarity of the African.

What this genre reveals is lack of ethnic introspection on the part of both the authors and their readers. As Chinua Achebe (1977) remarked in his famous critique of Joseph Conrad's *Heart of Darkness*, every culture has its strange customs and it takes a proper understanding of another culture to realise this. However, this has not been the case for these early European writers on Africa.

Achebe's analysis showed that it was sufficient for Conrad, as a novelist, to portray Africans as silent, grunting or in frenzy except when he wanted to show their depravity. These representations matter because they are the undercurrents of all subtle objections to why African modes of thought and behaviour seem to be inherently suspect in contemporary discourse on conflict resolution. It is important to note, however, that this discourse was damaging because of power relations between the coloniser and the colonised. The colonial assault on African approaches to conflict resolution is a genre with enduring practical and discursive legacies.

## **Colonisation and Justification**

While African societies had many of what Nader (1997) called "controlling processes" which managed power and conflict, the manner in which these processes functioned before colonisation was markedly different from the colonially introduced practices in two significant ways.

- First, indigenous African approaches placed a very different emphasis on conflict resolution. Unlike the European idea of justice, which was (and is) fought on an adversarial contestation of evidence with a view to determine right from wrong and penalise the party in the wrong, the African outlook implored the accused to confess in order to start a healing process of reconciliation (Tutu 1999; Murithi 2007; Fred-Mensah 2008).
- Second, the colonial administration of justice sought to act as a deterrent. It had, in its arsenal, structural violence that included the death penalty, whipping, severing body parts, confiscating property in fines, forced labour and imprisonment among others (Hynd 2011; 2012).

Although emotional punishment such as the humiliation experienced in the public nature of the indigenous African justice systems and social consequences of shame were thought to be important punishments in many African socio-legal systems, the use of structural violence was extremely rare (Hynd 2011: 2012). Indeed, the difference starts from there being no conviction; the purpose of hearing a case in an African village was simply to establish where the truth rested in order to help the community restore peace and harmony (Tutu 1999; Fred-Mensah 2008).

Such a socio-legal system aimed at keeping some achieved equilibrium has a very different social goal to the European focus on purging the community of wrongdoers. As such, the ranges of punitive measures were limited in congruence with this social purpose (Tier 2012). On this Hynd (2011:435) wrote that:

*“Existing historical evidence suggests that pre-colonial penalty was more fluid and complex. The punishment of anti-social and criminal behaviours was based upon principles of restitutive justice that aimed at reconstituting social solidarity through compensation and reconciliation”*

As Colonel MacLean (cited in Costa 2003:33) wrote about the indigenous people of Southern Africa: *“The grand principle of Kafir Law is collective responsibility, and on this principle depends in a very great degree, the peace and safety of society.”* Although colonial officials understood this, they still wanted to change the African social organisation. For example, one colonial official said the following to Alexander Campbell at the twilight of colonisation: *“They’re a pretty peaceable lot of savages. We have the odd spot of bother with witch doctors, and it is a devil of a job persuading them...Africans don’t want change”* (Campbell 1960:447). Likewise, Arthur Conan Doyle, writing about the Bushmen in Botswana, recognised that *“[t]hey are peaceable enough, these poor people, most miserable of the human race; but the land has to be policed...”* (Doyle 1929:142).

The African contentment in their traditions and the European mission to civilise, direct and control led to the discursive formula: “the Africans are.... (insert something positive) ...but... (insert the point of your statement)...” emerged. Besides the afore-quoted examples, there is a famous one by Stanley (1878 cited in Smith 1926:20), who reporting on what he saw when he crossed Africa from West to East, wrote that he *“...encountered everywhere the authority of independent chiefs, exacting tributes on eastern half and opposing violence on the western half.”* But, he declared, there was no civilisation (Stanley 1878 cited in Smith 1926:20). When the colonial administrators introduced European laws, they argued that the indigenous people had their own laws, but they had to be changed for civilisation’s sake (Hynd 2011).

The arrival of colonial legal system “resulted in a widespread criminalisation of native life” and started a processes of substantive marginalisation of African approaches to keeping peace (Hynd 2011:433). The degree to which indigenous African approaches to conflict resolution would be allowed to coexist with the colonial laws was a divisive one among colonial administrators and their bosses in Europe. For example, Hynd recounted that the use of death penalty in British colonies sparked a debate. She wrote that...

*... many officials argued that the death penalty was an effective method of restoring order and imposing British law on African populations, others argued that lethal violence was unsuitable for the punishment of Africans, whose attitudes towards justice and the taking of human life were markedly different from European views on the subject* (Hynd 2012:83).

However, internal debates of this kind pertained to the manner in which European law should be implemented. The question whether to impose European legal system was already a *fait accompli* for the “how” questions are normally related to an established “what...” The “what” was the colonial state, which was set against African customs and as Costa (2003:16), explained:

*“The colonial state, and the power it exercised, was sui generis. Whereas the liberal states of the late nineteenth century were adopting modes of power based on the self-governing subject, the colonial state found itself confronted by an alien, potentially ungovernable, indigenous population. The strictures of liberal legality were insufficient.”*

To this “native question” colonial governments had two answers. First they could implement – as they did in the Cape Colony – direct rule, which demanded the “appropriation of land, destruction of communal autonomy, plus defeat and dispersal of tribal populations” (Mamdani 1996:145). Alternatively, they accepted aspects of indigenous customs or indirect rule (Mamdani 1996). Indirect rule allowed colonial administrators to erase African customs through instatement of chiefs and invention of customs (Dore 2001). For example, when the British writer Evelyn Waugh visited colonial Zanzibar in the 1920s, he wrote the following about the Sultan of that Island: *“He has no exclusive valid claim to his office; the British Government put him there, and they pay him a sufficient proportion of his revenue to enable him to live in a modest degree of personal comfort...”* (Waugh 1931:165). Having leaders like this along with colonial methods of indoctrination (schools, churches etc.) and coercion contributed to some Africans turning against their customary practices of prioritising mediation and reconciliation in favour of harsher forms of punishment. For example, Hynd (2011:436) made the following observation about changing attitudes in colonial Malawi:

*“With the strong impact of missionary Christianity upon Nyasaland, the Bible appears to have been a strong ideological influence in the escalation of notions about harsh punishment, and the linkage of deviance with sin.”*

The changing attitude encouraged colonial governments, especially in British territories, to hand more power to indigenous Africans. However, the benefit of indirect rule, as this legal dualism was called, did not come easy to the representatives of empires. As Hynd (2011:437) wrote:

*“...the African elders exercising colonial authority did not immediately adopt the penalties deemed most ‘severe’ from a British perspective – namely whipping and imprisonment – illustrating the clash between European and African perspectives on punishment and the body... Provincial and District Commissioners repeatedly complained about Native Courts being ‘most reluctant’ to deploy both imprisonment and flogging as penal sanctions, with compensation remaining the routine punishment for all offences.”*

Unlike the British colonialists, the French administration of its imperial subject was decidedly assimilationist (direct rule). The spread of French language and culture at the expense of indigenous ones was the central pillar of the civilising mission (Orosz 2012). However, all colonial empires shared the goal of imposing their own cultures on Africans. As Spear (2003) noted, this European attempt to erase African customs, beliefs and cultures, had their own limitations. For a start, imposing the European legal system on Africans with brute force presented more difficulties than persuading them. Second, the Europeans took a long time to realise that Africans had autonomous perceptions of themselves, and their cultures. Smith (1929:16) put it best:

*“The white men show themselves ignorant of black man’s beliefs, beliefs which they labelled superstitions. The black man treasures his ancient heritage and is prepared to suffer and die rather than surrender it. Blunders are committed which can only be remedied by the aid of anthropology. “*

Whether anthropology did remedy anything is a question addressed in the next section. At this juncture, it will be concluded that the literature on the colonial period of African history shows determined attempts to erase African thought – the source of African approaches to conflict resolution. Although colonisation has ended, the Africans are left with the “postcolonial state.” This reality perpetuates the marginalisation of African approaches to conflict resolution – including the colonial notion of their alleged inappropriateness to modern conflicts. Overall, it is demonstrated that the early process of domination weighed African thought down more broadly. This meant lack of confidence in African approaches to conflict resolution does have some very deep roots; roots that are firmly imbedded in the history of European domination – both in discourse and practice.



## Is Anthropology a Remedy?

In many ways, anthropology represented a shift from the bold assertions grounded in cursory and self-centred observations by explorers, missionaries and adventure-seekers to a more involved (and supposedly “scientific”) approach to the study of Africans and their social organisations (Seligman and Seligman 1932; Evans-Pritchard 1937/1940; Radcliffe-Brown 1940; Fortes and Evans-Pritchard 1940; Radcliffe-Brown and Forde 1950; Middleton and Tait 1958; Lienhardt 1961). These anthropologists established that African societies were organised into three types of political systems: kinship, central authority and “ordered anarchy” (Middleton and Tait 1958). In general terms, the types of conflicts (intragroup and intergroup) they faced resembled contemporary ones. However, despite the differences in social organisation, anthropologists found that most African societies resolved their conflicts predominantly by mediation (Gluckman 1955a; Bohannan 1957; Bozeman 1976).

However, there are two interesting subtexts in the anthropological literature that emerged after The Great War. The first is that many anthropologists grafted European concepts such as “ordered anarchy”, “acephalous society”, “segmentary tribe” on African realities (Middleton and Tait 1958). African conflicts were sometimes described as feuds (e.g. “tribal feud”) and conflict resolution processes as “courts” (Gluckman 1955b; Bohannan 1957; Middleton and Tait 1958). Such terminologies did not appropriately describe what the anthropologists saw – namely conflicts and their resolutions. Instead, they describe African societies in opposition to European ones. Indeed, they did what Wagner cited in Mudimbe (1988: 27) said: *an anthropologist ‘invents’ the culture he believes to be studying, that the relation is more ‘real’ for being his particular acts and experiences than the things it relates.*” Second, some anthropologists wrote as if they would be the last to see their “tribes” in that particular state – “unaffected by European contact” (Middleton and Tait 1958:1). Such a point of departure allowed the anthropologist to present African customs at an end point, as frozen. This depiction – underwritten by the “scientific” nature of fieldwork – contributed directly to the writing off of pre-colonial African ideas, beliefs and practices by framing history “so that all that came before colonialism becomes its own prehistory and whatever comes after can only be lived as infinite aftermath” (Ahmad 1995 cited in Ahluwalia 2001:5).

Despite their commitment to scientific objectivity, anthropologists were just as hostage to the established discourse of othering as any of their predecessor (Mudimbe 1988). For example, anthropologists were comfortable with terms like “savage”, “primitive” and “tribe” among other categories.<sup>2</sup> Like explorers, missionaries, adventurers and colonial officials, anthropologists were observers of exotic other and communicating the African peculiarities back to the metropolis. Their task was to find out what they wanted to know about the Africans and report it from their perspective as members of the colonising group to the European reader. Their positions as scientists meant that they did not need to worry about Harding’s (1987: 9) observation that...

*“The class, race, culture and gender assumptions, beliefs, and behaviors of the researcher her/himself [must] be placed within the frame of the picture that she/he attempts to paint.”*

Questions about the self, the idea that the anthropologist is the instrument, interacting with people a procedure and writing a report a science, according to Clifford Geertz (2001) was problematic. As Asad (1979:91) emphasised, the role of “...power relationships between dominating (European cultures) and dominated (non-European) culture... [challenges]...the anthropologist’s claim to political neutrality.” Moreover, some anthropologists had a direct engagement with colonial administrations. For example, the colonial administration of “Nigeria appointed a government anthropologist in 1906 as did Sierra Leone in 1913...” (Burton 1992:185). In the Sudan, the Colonial Government paid for the work of Charles and Brenda Seligman (Burton 1992). The scholarship of “colonial anthropology,” as Assad (1979) suggested, probably had what might be called a symbiotic relationship with the Colonial Government in establishing the discourse (and practice on the part of colonists) of dominating African modes of thought and behaviour.

It is important to take note that although anthropology helped to identify African customs relating to conflict resolution, the contribution was still subject to power relations and it failed to avoid systematic marginalisation explorers and colonisation established. The anthropological tendency to present African societies as frozen in pre-colonial times directly explains why the so-called mainstream conflict resolution scholarship periodises African history and consigns African approaches to conflict resolution to pre-colonial dustbin.<sup>3</sup> Such assumptions write off, *a priori*, the possibility of their being any surviving customs that maintain indigenous peacemaking and the dominance of this discourse distorts how African approaches to conflict resolution have emerged.

## **Conclusion**

Overall, the goal of the author has been to examine the source of modern reluctance to apply indigenous African approaches to conflict resolution in three discursive traditions – the missionaries and explorers’ writings, colonial literature and anthropological scholarship. (The article is part of a larger study focusing on the application of indigenous African principles to conflict resolution such as Ubuntu, gacaca etc.). In the first section the author has shown that the construction of the African as a beast imposed an incapacity to develop conflict resolution strategies. It has been argued that explorers drew on this notion when they defined Africans to have been in the state of nature where reason – which is essential for conflict management – was supposedly absent. The missionaries framed Africans and their ways as dangerous for spirituality and civilisation and consequently acted as conduits for the colonial mission to civilise and spiritualise Africans, that is, to attempt eradicating indigenous beliefs and practices.

One main result of these impositions was the relegation of indigenous socio-political and socio-legal systems responsible for conflict management and resolution. Furthermore, the anthropological scholarship augmented the relegation of African thought by lending “scientific” authority to the notions of primitivism and backwardness of the African other. Together with colonial administrative practices, the anthropological characterisation of African societies in opposition to the European self-shaped the attitudes towards the relationship between colonially inherited state structures and institutions and indigenous customs. These attitudes, tropes and categories of thought remain implicit (and are sometimes made explicit) in modern discourse on African approaches to conflict resolution. For an honest debate on indigenous African approaches to conflict resolution to take place, a simple advocacy for adopting more indigenous principles is insufficient; such a debate must include questioning the colonial legacy. It is by rejecting colonial categorisations and assumptions embedded in the post-colonial state and political discourses that Africans can reclaim, to borrow the words of Boaduo and Gumbi (2010:47), “the power of speaking their own truth.”

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## Notes

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<sup>1</sup> John Locke used an example of Amerindians to illustrate the barbarity of the state of nature concept in *The Second Treatise of Civil Government* (Grovgui 1996).

<sup>2</sup> There are many texts in this tradition but Evans-Pritchard (1965), Cureau (1915) better illustrate my point.

<sup>3</sup> For a good overview of this debate see Zartman (2000) and De Jong (2005)